

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
EASTERN DIVISION

LEVANURE ZIMMERMAN, )  
vs. )  
Plaintiff, )  
BILLY MITCHEM, ET AL., )  
Defendants. ) CV-00-PT-1332-E

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U.S. DISTRICT COURT  
N.D. OF ALABAMA  
FILED  
12/03/2001

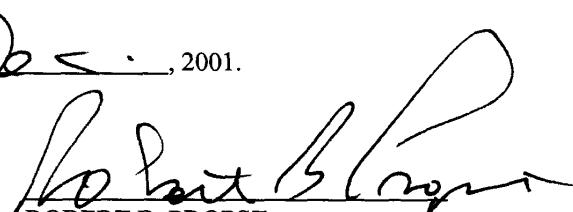
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MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on October 11, 2001, recommending that this action filed pursuant to 42 U.S.C. § 1983 be dismissed as frivolous and for failure to state a claim upon which relief may be granted under 28 U.S.C. § 1915A(b). The plaintiff filed objections to the report and recommendation on October 31, 2001.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation and the objections thereto, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and the recommendation is ACCEPTED. Accordingly, the complaint is due to be dismissed as frivolous and for failure to state a claim upon which relief may be granted pursuant to 28 U.S.C. § 1915A(b). A Final Judgment will be entered.

DATED this 3rd day of Dec, 2001.

  
ROBERT B. PROPST  
UNITED STATES DISTRICT JUDGE

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